

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

LAWRENCE LEE ELMORE,  
Plaintiff,

No. 1:12-cv-1332-CL

v.

JACKSON COUNTY, et al.  
Defendants.

**ORDER**

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**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews legal principles de novo. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983).

I agree with Magistrate Judge Clarke that plaintiff's claim for malicious prosecution must be dismissed based on qualified

immunity and failure to state a claim. Accordingly, I ADOPT the Report and Recommendation.

**CONCLUSION**

Magistrate Judge Clarke's Report and Recommendation (#57) is adopted. Defendants' amended motion to dismiss (#37) is granted with prejudice.

IT IS SO ORDERED.

DATED this 7 day of January, 2014.

A handwritten signature in black ink, reading "Owen M. Panner", is written over a horizontal line.

OWEN M. PANNER  
U.S. DISTRICT JUDGE